

## **Exhibit C**

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**Subject:** FW: Exh C

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**From:** Amy Candido [mailto:amycandido@quinnemanuel.com]

**Sent:** Thursday, October 29, 2009 4:17 PM

**To:** Joseph S. Grinstein

**Cc:** Edward DeFranco; Max L. Tribble; Jeremy Brandon; Justin A. Nelson; Carl Anderson; gil@gillamsmithlaw.com; Patrick Curran; Jim Glass

**Subject:** Rebuttal Expert Deadline

Joe,

I have been operating under the assumption that the rebuttal expert deadline is 15 days after the opening expert reports. However, my team tells me that technically, the rebuttal expert deadline is still triggered off of the Markman ruling, not the opening deadline. So, I think we need to submit something to change the rebuttal expert deadline.

In that regard, I am told that we also have an issue with our technical expert's availability in November. Accordingly, we propose that we agree on November 24 as the deadline for rebuttal expert reports. That is roughly the same number of days for the rebuttal reports as there was for the opening reports. Is that acceptable to you? If so, we will prepare a joint motion for your approval.

Thanks,  
Amy

12/14/2009